

REMARKS

Claims 5, 8-10, 18, 19, and 23-30 are pending in the application. Claims 26-30 have been amended. Support for the claim amendments can be found in Applicant's disclosure as published in United States Patent Publication No. 2005/0102500, specifically at paragraphs [0008]-[0011], [0019]-[0026] and in Figures 1 and 2. Applicant respectfully requests reconsideration of the pending claims in light of the amendments and the following remarks.

CLAIM REJECTIONS UNDER 35 USC §103

The Office Action rejected claims 5, 8-10, 18-19, and 23-30 under 35 USC 103(a) as being unpatentable over Lerner (US 6,954,799 B2) in view of Cocotis et al. (US Pub 2003/007896500) and Belfiore et al. (Patent No. 6990513 B2) ("Belfiore"). Applicant respectfully traverses this rejection and submits the following in consideration thereof:

Lerner does not disclose Applicant's claim 5 limitations with respect to "using said first MQ server for *encoding* the high level business data according to a message queuing *protocol* to provide an MQ message." Claim 5 requires encoding data according to a queuing protocol, and the transformative steps recited in the claim limitation result in an MQ message, that is further encapsulated in an HTTPS wrapper for added security. The thrust of Applicant's invention lies in the novel "MQ message" which Lerner fails to disclose.

Thus, Lerner's disclosed middleware does not create an MQ message, but rather simply stacks data units in a simple First-In, First-Out queue. Importantly, Lerner makes no mention of *encoding messages according to a protocol*, the key consideration in claim 5 which

makes Applicant's invention structurally different than Lerner's disclosed prior art.

Additionally, Applicant has amended claim 5 to include the previously unclaimed limitation of "transmitting said encrypted business data to a first MQ server;" this recites the limitation previously argued and cited by the Examiner as not present in Page 11 ¶ 21 of the Final Office Action.

Applicant reasserts Lerner does not teach or include Applicant's claim 5 limitation regarding "transmitting, via the Internet using HTTP" the *encrypted message*. Lerner's standard *web browser communication* descriptions of "HTTP request" or "HTTP redirect" are inapposite given the amendments above. Crucially, Applicant's limitations disclaim any use of a web browser for transmitting the HTTPS wrapped MQ messages, and the invention uses HTTPS because the firewalls described in FIG 1 have commonly defined exceptions to blocking HTTPS traffic. *See* Applicant's [0026] ("Using HTTP has the advantage that it can pass the normally available firewalls").

Applicant further submits that the combined teachings of Cocotis and Belfiore together with those of Lerner do not suggest to one of ordinary skill in the art the claim 5 limitations, as amended above. *See In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). This, applicant reasserts, is so given that the motivation for the invention is not as the Examiner claims: "modifying the teaching of Lerner as taught by Cocotis in order to make sure LAN devices are secure by separating them from the Internet." In fact, Applicant seeks to streamline "communication across enterprise firewalls" which "presents a problem for business process communications among applications in different enterprises" *See* Applicant's paragraph [0008].

Claims 8-10 are dependent on claim 5 and are therefore not unpatentable over the cited references for at least the same reasons that claim 5 is not unpatentable over the cited references.

Applicant further traverses the Examiner's rejection of claim 18 and in support submits the following:

Applicant has amended claim 18 to no longer claim the first agent "acting as a spoke in a hub and spoke integration system." Claim 18, as newly amended, limits the placement of the MQ server to overcome both the Cocotis and Belfiore prior art and it accomplishes this by placing the decoding/decryption functions within the MQ server itself, which is a distinct hardware component, separate from any other application server. The encryption mechanisms cited in Lerner, Cocotis and Belfiore and claimed therein are all an integral part (i.e. inseparable) of the application servers in the prior art. This is in sharp contrast to Applicant's claim 18 limitation, clearly placing the encryption/decryption engine in a separate MQ server, physically apart from any claimed application servers. This placement overcomes the Examiner's rejection by placing the Applicant's claimed limitations well outside the scope of the cited prior art. *See i.e.* Lerner's Fig. 3 – Encryption/Decryption Engine located in server; *see also* Examiner's admission that Belfiore discloses an "encryption engine integrated into the agent device" and not as claimed, into the MQ server.

Claim 19 is dependent on claim 18 and thus includes the limitation described herein and is patentable over the cited references for at least the foregoing reasons.

Because the Examiner has based the rejection of claim 23 on a similar rationale as that of claim 5, Applicant hereby reincorporates and resubmits the above arguments made with respect to claim 5 as applicable to claim 23 and submits that given the substantive distinctions based on Applicant's claim limitation, said arguments and limitations conclusively establish claim 23 as allowable over the cited prior art. Additionally, Applicant submits in support of the above, the amendments currently made to Applicant's claim 23.

Thus, claim 23 and its dependent claims 24 and 25 are not unpatentable over the cited references.

Because the Examiner has based the rejection of claim 26 on a similar rationale as that of claim 5, Applicant hereby reincorporates and resubmits the above arguments made with respect to claim 5 as applicable to claim 26 and submits that given the substantive distinctions based on the cited Applicant's claim limitation, said arguments and limitations conclusively establish claim 26 is allowable over the cited prior art. Additionally, Applicant submits in support of the above, the amendments currently made to Applicant's claim 26.

Finally, because claims 27-30 are dependent on claim 26 they are therefore not unpatentable over the cited references.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests allowance of the pending claims. The Director is hereby authorized to charge any fees that may be required, including any petition for extension of time fees under §1.17, to Deposit Account Number 09-0460.

Serial Number 10/712,665
Docket Number SVL920030058US1
Amendment Page 12 of 12

Respectfully submitted,

/Michael J. Buchenhorner/

Michael J. Buchenhorner
Reg. No. 33,162

E-filed on January 24, 2011

Michael Buchenhorner, P.A.
8540 S.W. 83 Street
Miami, Florida 33143
(305) 273-8007 (voice)
(305) 595-9579 (fax)